

DEVELOPMENT PLAN

FOR THE ORANGE COUNTY NEIGHBORHOOD DEVELOPMENT AND PRESERVATION PROJECT



ORANGE COUNTY DEVELOPMENT AGENCY

The Orange County Board of Supervisors adopted this Development Plan for the Orange County Neighborhood Development and Preservation Project (“NDAPP”) on June 28, 1988, by County Ordinance No. 3720. This Development Plan was later amended by Ordinance No. 3925 to bring the plan in compliance with redevelopment reform legislation contained in Assembly Bill 1290.

The City Council of the City of Lake Forest, by Ordinance No. 90 and Resolution No. 98-31, and the Agency, by Resolution No. 98-02, adopted the NDAPP on June 30, 1998 as the redevelopment plan for the El Toro Project Area, transferred jurisdiction over the El Toro Project Area from the Orange County Development Agency to the Lake Forest Redevelopment Agency and approved an agreement between the County of Orange, the City of Lake Forest, and the City of Laguna Hills, regarding the transfer of jurisdiction to, and administration of redevelopment with the El Toro Project Area.

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**DEVELOPMENT PLAN FOR THE
ORANGE COUNTY NEIGHBORHOOD DEVELOPMENT
AND PRESERVATION PROJECT**

I. (Sec. 100) Introduction

The Development Plan for the Orange County Neighborhood Development and Preservation Project consists of the text (Sections 100 through 900), the Development Plan Maps (Figures 1-15 in Appendix “A”), the Land Use Maps (Figures 16-31 in Appendix “B”), the Legal Description of the Project Boundary (Appendix “C”), and the Proposed Public Improvement/Projects List (Appendix “D”). This Plan has been prepared by the Orange County Development Agency as adopted by the Board of Supervisors of the County of Orange, California pursuant to the Community Redevelopment Law of the State of California, and all applicable laws and ordinances.

II. (Sec. 200) General Definitions

The following references will be used generally in this Plan unless the context otherwise requires:

- A. “Agency” means the Orange County Development Agency.
- B. “County” means the County of Orange, California.
- C. “Board of Supervisors” means the Board of Supervisors of the County of Orange, California.
- D. “General Plan” means the General Plan of the County of Orange as it now exists or may hereafter be amended.
- E. “Map” means the Development Plan Map for the Orange County Neighborhood Development and Preservation Project, as set forth in Figures 1-15 in this Plan.
- F. “Person” means any individual, or any public or private entity.
- G. “Plan” means the Development Plan for the Orange County Neighborhood Development and Preservation Project.
- H. “Project” means the Orange County Neighborhood Development and Preservation Project.
- I. “Project Area” means the area included within the boundaries of the Project as shown on the Map and more particularly described in the legal description of the Project Area contained in Appendix C.
- J. “Redevelopment Law” means the Community Redevelopment Law of the State of California (California Health and Safety Code, Section 33000 et seq.).
- K. “State” means the State of California.
- L. “Zoning Ordinance” means the Zoning Ordinance of the County of Orange as it now exists or may hereafter be amended.

III. (Sec. 300) Project Area Boundaries

The boundaries of the Project Area are illustrated in the maps contained in Figures 1-15 of Appendix A. The legal description of the boundaries of the Project Area are as enumerated in Appendix C.

IV. (Sec. 400) Proposed Development Actions

A. (Sec. 401) General

The Agency proposes to eliminate and prevent the physical, social, and economic decline within the Project Area by the following actions:

- (1) Installation, construction, reconstruction, redesign, or reuse of streets, utilities, curbs, gutters, sidewalks, handicap ramps, and other public improvements as permitted in accordance with the Plan, the General Plan and Zoning Ordinance;
- (2) Acquisition and disposition of property acquired for uses in accordance with the Plan;
- (3) Redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- (4) Financing of the construction of residential, commercial and industrial buildings and the permanent mortgage financing of residential, commercial and industrial buildings as permitted by applicable State and local laws, to increase the residential, commercial and industrial base of the County and the number of temporary and permanent jobs within the County;
- (5) In appropriate cases, rehabilitation of structures and improvements or development of vacant land by present owners, their successors and the Agency for uses in accordance with this Plan.
- (6) Such other action as may be permitted by law.

B. (Sec. 402) Property Acquisition

(1) (Sec. 403) Acquisition of Real Property

The Agency may purchase, lease, obtain option upon or otherwise acquire any interest in real property located in the Project Area by gift, devise, exchange, purchase, or any other means authorized by law for purposes of redevelopment, except through the power of eminent domain. The Agency has determined that it can achieve the objectives of this Project without the use of eminent domain. Acquisition of property will generally be achieved by cooperative negotiations between the owner of such property and the Agency.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement unless provision for such acquisition is made in the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner. The Agency may seek to acquire such property if: (1) such building requires structural alterations, improvement, modernization, or rehabilitation; or (2) the site or lot on which the building is situated requires modification in size, shape, or use; or (3) it is necessary to impose upon such property any of the standards, restrictions, and

controls of the Plan and the owner fails or refuses to participate in the Plan by executing a participation agreement.

(2) (Sec. 404) Acquisition of Personal Property

Generally, personal property shall not be acquired, unless such acquisition is necessary in connection with the acquisition of real property. However, where necessary in the execution of the Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means except eminent domain.

C. (Sec. 405) Participation by Owners and Tenants

(1) (Sec. 406) Owner and Tenant Participation

The Agency shall extend reasonable preferences to the present owners and business tenants in the Project Area, to participate in the development of the Project Area if they otherwise meet the requirements prescribed by the Plan and the rules governing participation promulgated by the Agency, which rules may be amended from time to time.

The Agency desires participation in redevelopment by as many owners and business tenants as possible. However, participation opportunities shall necessarily be subject to and limited by such factors as the lack of public facilities; elimination and changing of land uses; realignment of streets; the ability of the Agency and/or owners to finance acquisition and development in accordance with the Plan; assembly and development of areas for public and/or private development in accordance with this Plan; and any reduction in the total number of individual parcels in the Project Area.

(2) (Sec. 407) Participation Agreements

The Agency may enter into a binding agreement with each person desiring to participate in redevelopment pursuant to the Development Plan by which the participant agrees to rehabilitate, develop, or use the property in conformance with the Plan and be subject to the provisions hereof. In the agreement, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this Plan applicable to their properties.

In the event that the Agency is not directly involved in the development of a particular property, a participation agreement may not be required. The determination of whether or not a participation agreement is required shall be made by the Executive Director of the Agency or a designated representative whose decision, subject to an appeal to the Agency, shall be final. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

(3) (Sec. 408) Certificate of Conformance

As an alternative to requiring a participation agreement for each property, the Agency is authorized to make determinations of these properties which conform to the Plan. If such determination is made by the Agency, the Agency may issue a Certificate of Conformance under this Plan so long as the property continues to conform to this Plan and to such further terms and conditions as the Agency may require as necessary or appropriate to carry out the Plan. Any acquisition by the Agency would be on a negotiated basis without use of eminent domain.

D. (Sec. 409) Cooperation with Public Bodies

Any public body is authorized by the state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. However, the Agency shall seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency.

E. (Sec. 410) Property Management; In Lieu Payments

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

As provided for in Health and Safety Code Section 33401, the Agency may pay an amount of money in lieu of taxes in any year during which it owns property in the Project Area. Such payment shall be made directly to a governmental entity or special district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt.

As permitted by Health and Safety Code Section 33401, the Agency may also pay to any taxing agency with territory located within the Project Area, other than the County, any amounts of money which the Agency has found are necessary and appropriate to alleviate any financial burden or detriment caused to any taxing agency by the Project. The payments to a taxing agency in any single year shall not exceed the amount of property tax revenues which would have been received by that taxing agency if all the property tax revenues from the Project Area had been allocated to all the affected taxing agencies without regard to the division of taxes required by Health and Safety Code Section 33670, except that a greater payment may be established by agreement between the Agency and one or more taxing agencies, except a school district, if the other taxing agencies agree to defer payments for one or more years in order to accomplish the purposes of the Project at an earlier time than would otherwise be the case. The amount of any greater payments shall not exceed the amount of payment deferred. The payments shall be approved by a resolution, adopted by the Agency, which shall contain findings, supported by substantial evidence, that the Project will cause or has caused a financial burden or detriment to the taxing agency and that the payments are necessary to alleviate the financial burden or detriment.

F. (Sec. 411) Relocation of Persons Displaced by the Project

(1) (Sec. 412) Assistance in Finding Other Locations

The Agency shall assist in the relocation of all persons (including families, business concerns, and others) displaced by Agency acquisition of property in the Project Area. The Agency intends to accomplish all redevelopment pursuant to this Plan with as little displacement of persons from businesses or residences as is feasible. In order to carry out the Project with a minimum of hardship to persons displaced from their homes, the Agency shall assist individuals and families in finding housing

that is decent, safe, sanitary, within their financial means, in reasonably convenient locations, and otherwise suitable to their needs. The Agency is also authorized to provide housing outside the Project Area for displaced persons.

(2) (Sec. 413) Relocation Payments

When required in accordance with Article 9, Chapter 4 of the California Community Redevelopment Law or other applicable State laws, the Agency is authorized to pay all relocation payments to provide relocation advisory assistance in conformity with the California Relocation Assistance Guidelines. Any assistance, if required, would be as otherwise required or authorized by law to all Project residents and business concerns relocated from the Project Area by Agency activity. All relocation shall be conducted in accordance with Article 9, Chapter 4 of the Redevelopment Law and other applicable State laws.

G. (Sec. 414) Demolition, Clearance, Public Improvements, Building and Site Preparation

(1) (Sec. 415) Demolition and Clearance

The Agency may clear or move buildings, structures, or other improvements from real property as necessary to carry out the purposes of this Plan.

(2) (Sec. 416) Public Improvements

To the extent permitted and in the manner required by law, the Agency is authorized to install, construct, or rehabilitate, or to cause to be installed, constructed, or rehabilitated, the public improvements and public utilities (within or outside the Project Area) necessary to carry out the Plan. Such public improvements include, but are not limited to: parking lots or structures, over or underpasses, bridges, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, parks, plazas, playgrounds, public buildings, schools, drainage facilities, police and public protection facilities, fire protection facilities, flood control facilities, library facilities, day care facilities, senior centers, community centers, and any other buildings, structures or improvements necessary and convenient to the full development of any of the above or necessary to ensure adequate public services to the Project Area. A list of possible projects is set forth in Appendix D.

The Agency, with the prior consent of the Board of Supervisors, may pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, or other improvement described in Appendix D or in the first paragraph of this Section 416 which is publicly owned either within or outside the Project Area upon a determination by resolution of the Agency and the Board of Supervisors: (1) that such buildings, facilities, structures and other improvements are of benefit to the Project Area; and (2) that no other reasonable means of financing such buildings, facilities, structures or other improvements are available to the community.

When the value of such land or the cost of the installation and construction of such building, facility or other improvement, or both, has been, or will be, paid or provided for initially by the community or other public corporation, the Agency may enter into a contract with the community or other public corporation under which it agrees to reimburse the community or other public corporation for all or part of the value of such land or all or part of the cost of such building, facility or other improvement, or both, by periodic payments over a period of years.

Any obligation of the Agency under such contract shall constitute an indebtedness of the Agency for the purpose of carrying out the Project for the Project Area.

(3) (Sec. 417) Preparation of Building Sites

The Agency may develop as a building site any real property owned or acquired by it. In connection with such development it may cause, provide or undertake or make provision with other agencies for the installation, or construction of parking facilities, streets, parks, playgrounds and other public improvements necessary for carrying out the Plan.

H. (Sec. 418) Rehabilitation and Moving of Structures by the Agency

(1) (Sec.419) Rehabilitation

The Agency is authorized and directed to advise, encourage, and with the consent of the owner, assist in the rehabilitation of property in the Project Area or affordable residential property outside the Project Area not owned by the Agency. The Agency is also authorized to rehabilitate or to cause to be rehabilitated private and public buildings or structures in the Project Area.

(2) (Sec. 420) Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move or to cause to be moved any standard structure or building or any structure or building which can be rehabilitated to a location within or outside the Project Area.

I. (Sec. 421) Property Disposition and Development

(1) (Sec. 422) Real Property Disposition and Development

a. (Sec. 423) General

For the purpose of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, assign, encumber or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to dispose of real property by leases or sales by negotiation without public bidding.

Except for property leased temporarily pending redevelopment, all real property acquired by the Agency in the Project Area shall be sold or leased to persons or entities for development for the uses permitted in the Plan. Real property may be conveyed by the Agency to the County or any other public body without charge.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this Plan.

All purchasers or lessees of property shall be obligated to use the property for the purposes designated by this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

b. (Sec. 424) Purchase and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of the Plan.

Leases, deeds, contracts, agreements and declarations of restrictions, may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

During the period of development in the Project Area, the Agency shall insure that all provisions of this Plan and other documents formulated pursuant to this Plan are being observed, and that development of the Project Area is proceeding in accordance with development documents and time schedules.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, religion, sex, marital status, national origin, or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such non discrimination and nonsegregation clauses as are required by law, including Health and Safety Code Section 33436.

(2) (Sec. 425) Personal Property Disposition

For the purpose of the Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

J. (Sec. 426) Provision for Low and Moderate income Housing

(1) (Sec. 427) Definition of Terms

The terms “affordable rent”, “replacement dwelling unit”, “person and families of low or moderate income” and “very low income households” as used herein shall have the meanings as defined by the Redevelopment Law and other State and local laws and regulations pertaining thereto.

(2) (Sec. 428) Authority Generally

The Agency may, inside or outside the Project Area, acquire land, donate land, improve sites, or construct or rehabilitate structures in order to provide housing for persons and families of low or moderate income. The Agency may also provide subsidies to, or for the benefit of, such persons and families or households to assist them in obtaining housing within the County.

(3) (Sec. 429) Replacement Housing

Whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of the Project, the Agency shall, within four years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable rents within the County.

(4) (Sec. 430) New or Rehabilitated Dwelling Units Developed Within the Project Area

At least thirty percent (30%) of all new or rehabilitated dwelling units developed within the Project Area by the Agency shall be for persons and families of low and moderate income; and of such thirty percent (30%), not less than fifty (50%) thereof shall be for very low income households. At least fifteen percent (15%) of all new or rehabilitated units developed within the Project Area by public or private entities or persons other than the Agency shall be for persons and families of low and moderate income; and of such fifteen percent (15%), not less than forty percent (40%) thereof shall be for very low income households. The percentage requirements set forth in this Section shall apply in the aggregate to housing built or rehabilitated pursuant to the Plan and not to each individual case of rehabilitation, development or construction of dwelling units. The Agency shall require, by contract or other appropriate means, that whenever any low and moderate income housing units are developed within the Project Area, such units shall be made available on a priority basis for rent or purchase, whichever the case may be, to persons and families of low and moderate income displaced by the Project; provided, however, that failure to give such priority shall not affect the validity of title to the real property upon which such housing units have been developed.

(5) (Sec. 431) Duration of Dwelling Unit Availability

The Agency shall require that the aggregate number of dwelling units rehabilitated, developed or constructed pursuant to Sections 431 and 432 shall remain for persons and families of low and moderate income and very low income households, respectively, for not less than the period set forth in Section 900 for the duration of this Plan or as otherwise required by the Redevelopment Law.

(6) (Sec. 432) Relocation Housing

If insufficient suitable housing units are available in the County for use by persons and families of low and moderate income displaced by the Project, the Agency may, to the extent of that deficiency, direct or cause the development, rehabilitation or construction of housing units within the County, both inside and outside of the Project Area.

(7) (Sec. 433) Tax Increment Funds

Except as otherwise provided in Health and Safety Code Section 33334.2, not less than twenty percent (20%) of all taxes which are allocated to the Agency pursuant to Health and Safety Code Section 33670 shall be used by the Agency for the purpose of increasing and improving the County's supply of housing for persons and families of low or moderate income and very low income households. The housing set-aside funds shall be placed in a separate fund and taken off the top of tax increment received each year by the Agency prior to establishing an expenditure program for public works and other Agency activities each fiscal year.

V. (Sec. 500) Uses Permitted in the Project Area

A. (Sec. 501) Redevelopment Plan Map

Figures 1-15 in Appendix A illustrate the locations of the Project Area boundaries. Figures 16-31 in Appendix B illustrate the proposed land uses and street layouts to be permitted in the Project Area. All development within the Project Area shall be consistent with the General Plan and Zoning Ordinance. To the extent the General Plan or Zoning Ordinance are amended during the life of this Plan, it is

intended that the provisions of this Plan (including the Land Use Maps contained in Figures 16-31) are automatically amended to conform to the requirements of the amended General Plan or Zoning Ordinance.

B. (Sec. 502) Residential

All requirements of the County's Zoning Ordinance as it now exists or is hereafter amended shall apply to residential development hereunder. The allowable number of dwelling units in the Project Area shall be as provided in the General Plan and Zoning Ordinance.

C. (Sec. 503) Commercial

All requirements of the County's Zoning Ordinance as it now exists or as hereafter amended shall apply to commercial development hereunder.

D. (Sec. 504) Industrial

All requirements of the County's Zoning Ordinance as it now exists or as hereafter amended shall apply to industrial uses hereunder.

E. (Sec. 505) Public Uses

(1) (Sec. 506) Public Rights-of-Way

The public street system in the Project Area shall be developed in accordance with the General Plan of the County, as amended from time to time, and street design standards as adopted by the Board of Supervisors.

Streets and alleys may be widened, altered, abandoned, or closed as necessary for property development of the Project. It is contemplated that the Agency will construct, or aid in the construction of, certain streets designated in the Plan which are not now constructed or which may require further widening or improvement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained or erected.

(2) (Sec. 507) Other Public Uses

Parking, open space, public and semi-public uses may be interspersed with other uses in any area.

F. (Sec. 508) Other Public, Semi-Public, Institutional and Nonprofit Uses

In any area the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, parking facilities, libraries, educational, fraternal, employee, philanthropic religious and charitable institutions, utilities, multi-modal transit facilities, and facilities of other similar purposes, associations or organizations. All such uses shall conform so far as possible to the provisions of this Plan applicable to the uses in the

specific area involved. The Agency may impose such other reasonable restrictions as are necessary to protect the development and uses in the Project Area.

G. (Sec. 509) General Controls and Limitations

All real property in the Project Area is hereby made subject to the controls and requirements of this Plan. No real property shall be developed, rehabilitated or otherwise changed after the date of the adoption of the Plan, except in conformance with the provision of this Plan.

All development must conform to this Plan and all applicable federal, state, and local laws, including without limitation, the County's zoning, building, environmental and other land use development standards, and must receive the approval of all other appropriate public agencies.

(1) (Sec. 510) New Construction

Except as otherwise permitted or required by the Agency all new construction shall comply with all applicable State and local laws in effect from time to time, including without limitation the Building, Electrical, Heating and Ventilating, Housing and Plumbing Codes of the County and the County Zoning Ordinance.

Off-street parking spaces and loading facilities shall be designated to comply with the County's Zoning Ordinance, as amended from time to time. The number of off-street parking spaces required shall be regulated by the County's Zoning Ordinance, as amended from time to time. All off-street parking spaces and loading areas shall be paved and lighted in accordance with the County's Zoning Ordinance, as amended from time to time.

(2) (Sec. 511) Existing Nonconforming Uses

Subject to the requirements of the County codes and regulations, existing nonconforming uses may remain in an existing building, provided that such use is generally compatible with the developments and uses in the Project Area.

The Agency may, but shall not be required to authorize additions, alterations, repairs or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency, such improvements would be compatible as interim uses with surrounding uses and development.

(3) (Sec. 512) Rehabilitation

Any existing structure within the Project Area which the Agency shall approve for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such manner that it will meet the following requirements: be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding areas. The preservation and rehabilitation of structures of historical significance will also be considered a priority by the Agency. Property rehabilitation standards for the rehabilitation of existing buildings and site improvements may be established by the Agency.

(4) (Sec. 513) Limitations on the Size, Height, and Number of Buildings

The size, height, and number of buildings in the Project Area that may be expected upon completion of the Plan may be regulated by the Agency, and shall not exceed the limitations set forth in the General Plan and Zoning Ordinance.

(5) (Sec. 514) Open Space and Landscaping

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public grounds, the space around buildings, and all other outdoor areas not permitted through limits on land covered by this Plan to be covered by buildings.

(6) (Sec. 515) Land Coverage

Land coverage by structures in the Project Area shall not exceed the land coverage permitted by the County's Zoning Ordinance, as amended from time to time.

(7) (Sec. 516) Light, Air and Privacy

In all areas sufficient space shall be maintained between buildings to provide adequate light, air and privacy.

(8) (Sec. 517) Signs

All signs shall be subject to the provisions of the County's Sign Ordinance, as amended from time to time.

(9) (Sec. 518) Utilities

The Agency shall require that all utilities be placed underground when physically and economically feasible.

(10) (Sec. 519) Incompatible Uses

No use, or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

(11) (Sec. 520) Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, sex, marital status, religion, national origin, or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area.

(12) (Sec. 521) Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions and controls established by the Plan. In order to permit such variation, the Agency must determine that:

(1) The application of certain provisions of the Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan.

(2) There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls.

(3) Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area.

(4) Permitting a variation will not be contrary to the objectives of the Plan or of the General Plan of the County.

In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public health, safety, and welfare, and to assure compliance with the purpose of the Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under County codes and ordinances.

H. (Sec. 522) Design for Development

Within the limits, restrictions, and controls established in the Plan, the Agency is authorized to establish traffic circulation, traffic access, and other development controls necessary for proper development of both private and public areas within the Project Area.

New improvements in the Project Area shall be reviewed in accordance with all of the County's zoning, building, planning and environmental ordinances, rules, regulations and requirements. The Agency's review and approval of development within the Project Area shall be undertaken in accordance with guidelines and procedures adopted from time to time by the Agency.

I. (Sec. 523) Building Permits

No permit shall be issued for the construction of any new building or for any reconstruction of an existing building in the Project Area from the date of adoption of this plan until the application for such permit has been found to be consistent with the provisions of this Plan and processed in accord with established procedures by the Orange County Department of Housing and Community Development. In the case of building permit applications for property which is the subject of a disposition and development agreement or owner participation agreement with the Agency and any other property in the discretion of the Agency will be reviewed by the Agency and the Orange County Department of Housing and Community Development. Any such permit that is issued must be in conformance with the provisions of this Plan, County ordinances, County codes, County processes, and any applicable disposition and development agreement or owner participation agreement.

VI. (Sec. 600) Methods for Financing the Project

A. (Sec. 601) General Description of the Proposed Financing Methods

Upon adoption of this Plan by the Board of Supervisors, the Agency is authorized to finance the Project with property tax increments, interest income, Agency bonds, loans from private institutions, proceeds from the sale or lease of property, financial assistance from any City, or the County of Orange, or the State of California, or the Federal Government, or any other public agency, or any other legally

available source. The distribution and use of funds for this Project shall be in accordance with the established policies of the Agency.

The County may, in accordance with the law, make advances and expend money as necessary to assist the Agency in carrying out this Project. Such assistance shall be on terms established by an agreement between the County and the Agency.

As available, gas tax funds from the State of California and the County will be used for the street system. As available, federal loans and grants will be used to finance portions of Project costs.

The Agency is authorized to issue tax exempt and taxable bonds if appropriate and feasible in an amount sufficient to finance all or any part of the Project. Taxable bonds could be issued to finance mortgages, to establish a revolving loan fund, or to establish any other kind of housing or commercial assistance program. Loans could be of the deferred interest type to keep monthly costs down. Mortgage Revenue Bond money could also be used for construction in rehabilitation areas. In addition, tax increment secured bonds or notes could be used to capture the “benefits” of housing rehabilitation in redevelopment areas. Assessment district bonds can also be used for the financing of infrastructure improvements.

The Agency is authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the Agency.

The regional projects described in Appendix D are ones which will be located primarily outside of the Project Area and will be of benefit to the Project Area. The Agency is authorized to pay for a portion of the costs of a regional project described in Appendix D to the extent of the benefit to the Project Area from that regional project.

The portion of the costs of a regional project described in Appendix D for which the Agency pays shall be determined by a reasonable allocation based on population, service area or similar criteria for allocation of benefits from the improvement between the Project Area and other areas served by the improvement, as determined by the Agency.

The total amount of tax increment revenue the Agency expends to pay the costs of the regional projects described in Appendix D shall not exceed one third of the total amount of tax increment the Agency receives over the term of the Plan.

B. (Sec. 602) Tax Increments

All taxes levied upon taxable property within the Project Area each year by or for the benefit of the State of California, County of Orange, any district, or other public corporation (hereinafter sometimes called “taxing agencies”) after the effective date of the ordinance approving this Plan shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds for the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or

for any taxing agency or agencies which did not include the territory of the Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project on said effective date); and

2. That portion of the levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on bonds, loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed value of the taxable property in the project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in paragraph (1) above, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

3. That portion of tax revenues allocated to the Agency pursuant to paragraph (2) above which is attributable to increases in the rate of tax imposed for the benefit of any affected taxing agency whose levy occurs after the tax year in which the ordinance adopting this Plan becomes effective, shall be allocated to such affected taxing agency to the extent the affected taxing agency has elected in the manner required by law to receive such allocation.

The portion of taxes mentioned in paragraph (2) above may be irrevocably pledged by the Agency for the payment of the principal of or the interest on money loaned or advanced to or any other indebtedness of (whether funded, refunded, assumed or otherwise) the Agency to finance or refinance in whole or in part the Project.

The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

Taxes shall be allocated and paid to the Agency consistent with the provisions of this Plan only to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, the Project.

The number of dollars of taxes which may be divided and allocated to the Agency pursuant to California Health and Safety Code Section 33670 shall not exceed \$1,600,000,000.

No loan, advance or indebtedness to be repaid from such allocation from taxes established or incurred by the Agency to finance in whole or in part the Project shall be established or incurred after thirty (30) years following the date of adoption of the ordinance approving and adopting this Plan. Such loan, advance or indebtedness may be repaid over a period of time longer than such time limit or the limit established in Section 900 hereof. Such time limitation may be extended only by amendment of this Plan.

The amount of bonded indebtedness, to be repaid, in whole or in part from such allocation of taxes, which can be outstanding at one time shall not exceed \$500,000,000.

C. (Sec. 603) Other Loans and Grants

Any other loans, grants, guarantees or financial assistance from the United States or any other public or private source will be utilized if available as appropriate in carrying out the Project.

VII. (Sec. 700) Actions by the County

The County shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the County shall include, but not be limited to, the following:

A. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the County shall include the requirements of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan.

B. Institution and completion of proceedings necessary for changes and improvements in publicly-owned public utilities or other public improvements within or affecting the Project Area.

C. Revision of zoning within the Project Area to permit the land uses and development authorized by this Plan.

D. Performance of the above, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

E. The undertaking and completing of any other proceedings necessary to carry out the Project.

VIII. (Sec. 800) Administration and Enforcement of the Plan

The administration and enforcement of this Plan or other documents implementing this Plan shall be performed by the Agency. The Board of Supervisors of the County constitutes the Agency Board. All housing activities shall be carried out by the Orange County Department of Housing and Community Development unless otherwise designated by the Board of Supervisors.

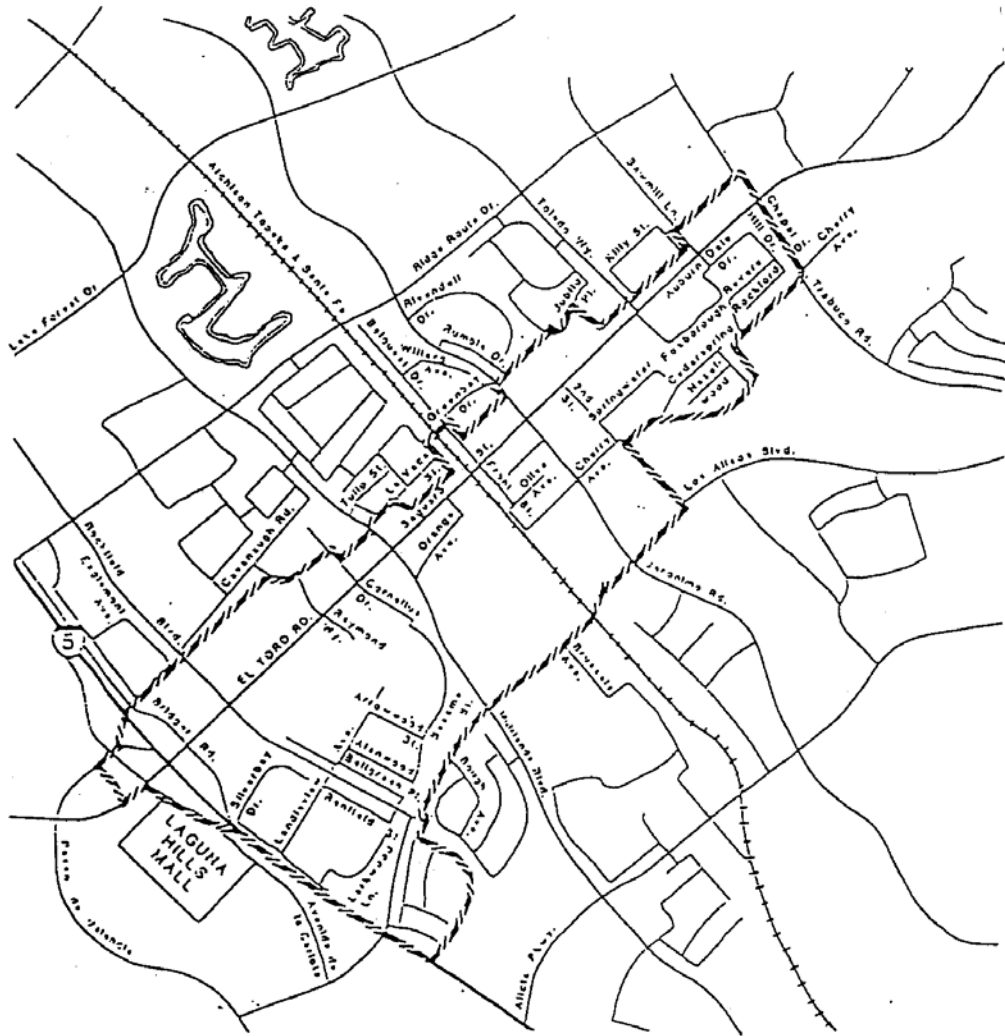
The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the County. Such remedies may include, but are not limited to, specific performance damages, re-entry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

IX. (Sec. 900) Duration of this Plan

Except for the nondiscrimination and nonsegregation provisions (which shall run in perpetuity), or the obligation to repay any indebtedness as provided in Sections 601 and 602, the provisions of this Plan shall be effective and the provisions of other documents formulated pursuant to this Plan may be made effective for forty-five (45) years from the date of adoption of this Plan by the Board of Supervisors.

Appendix A

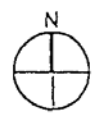
Development Plan Map



ORANGE COUNTY DEVELOPMENT AGENCY

El Toro

PROJECT AREA MAP

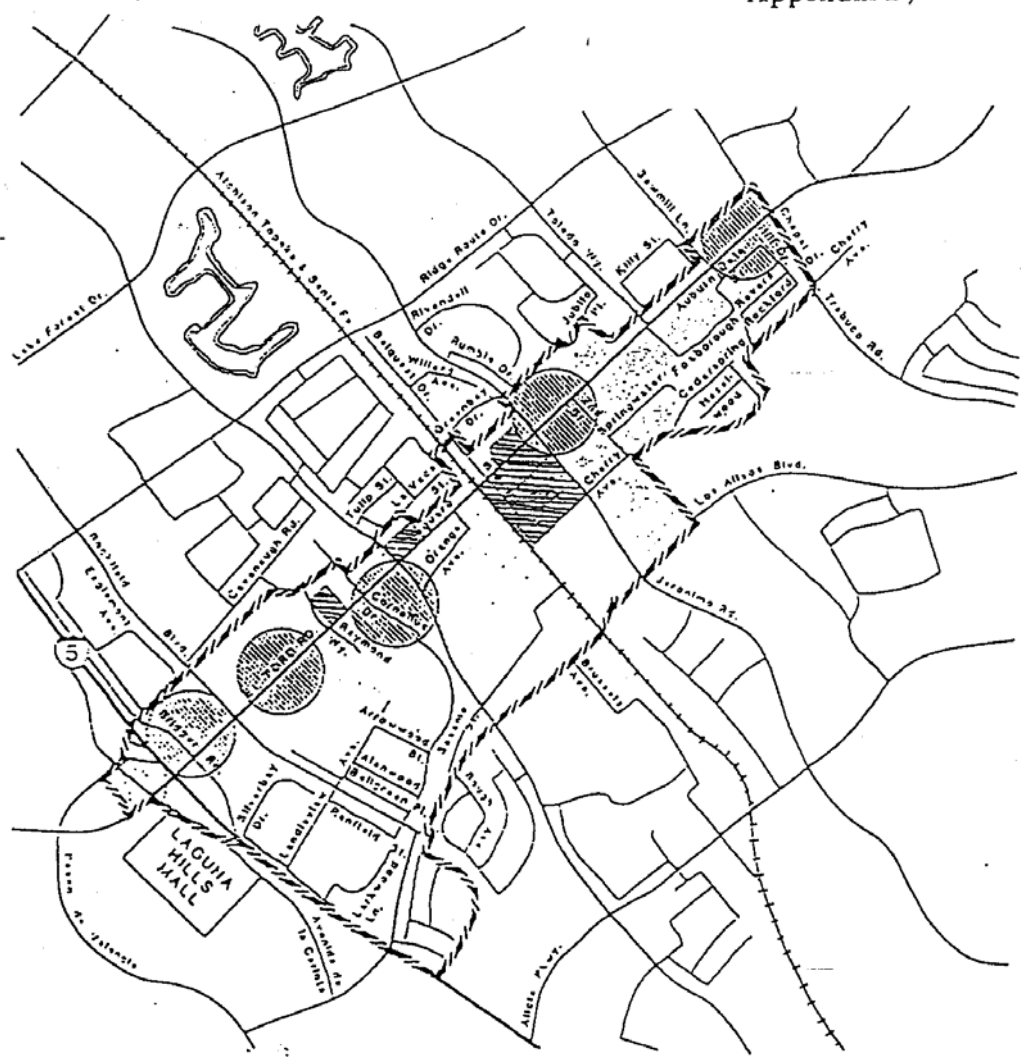


SCALE 1" = 1,975'






--- PROJECT AREA BOUNDARIES

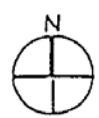
Appendix B

Land Use Map



ORANGE COUNTY DEVELOPMENT AGENCY
El Toro
LAND USE MAP

-  PROJECT AREA BOUNDARIES
-  SUBURBAN RESIDENTIAL
-  COMMUNITY COMMERCIAL
-  EMPLOYMENT
-  OPEN SPACE



SCALE 1" = 1,975'

Appendix C

Legal Description

LEGAL DESCRIPTION

ORANGE COUNTY DEVELOPMENT AGENCY EL TORO PROJECT AREA

THOSE PORTIONS OF THE COUNTY OF ORANGE, STATE OF CALIFORNIA OF VARIOUS SUBDIVISIONS AND TOGETHER WITH THOSE PORTIONS OF STREETS DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTERLINE INTERSECTION OF EL TORO ROAD (120.00 FEET WIDE AND FORMERLY LOS ALISOS AVENUE) AND TRABUCO ROAD (130.00 FEET WIDE AND FORMERLY IRVINE BOULEVARD); THENCE SOUTHEASTERLY ALONG THE SAID CENTERLINE OF TRABUCO ROAD TO THE CENTERLINE OF CHERRY AVENUE (60.00 FEET WIDE); THENCE SOUTHWESTERLY ALONG THE SAID CENTERLINE OF CHERRY AVENUE TO THE CENTERLINE OF SECOND STREET (WIDTH VARIES 50.00 FEET TO 60.00 FEET); THENCE SOUTHEASTERLY ALONG THE SAID CENTERLINE OF SECOND STREET TO THE CENTERLINE OF LOS ALISOS BOULEVARD (120.00 FEET WIDE AND FORMERLY LEMON AVENUE); THENCE SOUTHWESTERLY ALONG SAID CENTERLINE OF LOS ALISOS BOULEVARD TO THE PROLONGATION OF THE NORTHEASTERLY LINE OF LOT 1, OF TRACT NO. 5598 RECORDED IN BOOK 201, PAGES 44 AND 45 OF MISCELLANEOUS MAPS (M.M.), RECORDS OF SAID COUNTY; THENCE SOUTHEASTERLY AND SOUTHWESTERLY ALONG THE SAID PROLONGATION AND THE NORTHEASTERLY AND SOUTHWESTERLY BOUNDARIES OF SAID TRACT NO. 5598 AND TRACT NO. 5531 RECORDED IN BOOK 197, PAGES 29 THROUGH 33 INCLUSIVE, OF M.M., RECORDS OF SAID COUNTY, SAID COURSE BEING ALSO THE SOUTHWESTERLY AND NORTHWESTERLY LINE OF AN ORANGE COUNTY FLOOD CONTROL DISTRICT CHANNEL (ALISOS CREEK CHANNEL) TO THE NORTHEASTERLY RIGHT OF WAY LINE (R/W) OF INTERSTATE NO. 5 FREEWAY ALSO KNOWN AS THE SAN DIEGO FREEWAY; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY R/W LINE OF THE SAN DIEGO FREEWAY TO THE NORTHWESTERLY BOUNDARY LINE OF TRACT NO. 4753, RECORDED IN BOOK 198, PAGES 1 THROUGH 6 INCLUSIVE OF M.M. RECORDS OF SAID COUNTY, SAID POINT BEING ALSO AT A DEAD END OF BRIDGER ROAD; THENCE WESTERLY AND LEAVING THE SAID R/W LINE OF THE SAN DIEGO FREEWAY TO THE SOUTHWESTERLY R/W LINE OF AVENIDA DE LA CARLOTA AND THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, SAID POINT BEING NORTHWESTERLY, 770.81 FEET FROM THE NORTHEASTERLY CORNER OF PARCEL 3, OF PARCEL MAP RECORDED IN BOOK 74, PAGES 4 THROUGH 10 INCLUSIVE OF PARCEL MAPS OF SAID COUNTY; THENCE NORTHWESTERLY ALONG SAID R/W LINE OF AVENIDA DE LA CARLOTA AND ITS PROLONGATION TO THE NORTHWESTERLY R/W LINE OF SAID EL TORO ROAD; THENCE SOUTHWESTERLY ALONG SAID R/W LINE OF EL TORO ROAD TO THE SOUTHWESTERLY CORNER OF PARCEL 1, OF PARCEL MAP NO. 81-122, RECORDED IN BOOK 161, PAGES 8 AND 9 OF PARCEL MAPS, RECORDS OF SAID COUNTY; THENCE NORTHWESTERLY ALONG THE WESTERLY LINE OF SAID PARCEL 1, THROUGH ALL ITS VARIOUS COURSES, DISTANCES AND PROLONGATION TO THE NORTHWESTERLY R/W LINE OF PASEO DE VALENCIA; THENCE NORTHEASTERLY ALONG SAID R/W/ LINE OF PASEO DE VALENCIA AND ITS PROLONGATION TO A POINT THAT IS SOUTHWESTERLY, FROM THE NORTHWESTERLY CORNER OF PARCEL 4 AND MEASURED AT RIGHT ANGLES FROM THE SOUTHWESTERLY R/W

LINE OF SAID PARCEL 4 OF PARCEL MAP RECORDED IN BOOK 34, PAGE 29 RECORDS OF SAID COUNTY, SAID POINT BEING ALSO ON THE NORTHEASTERLY R/W LINE OF SAID SAN DIEGO FREEWAY; THENCE NORTHEASTERLY TO THE INTERSECTION OF THE NORTHEASTERLY R/W LINE OF BRIDGER ROAD AND THE NORTHWESTERLY BOUNDARY OF BALDWIN AND BRIDGER'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 79 OF M.M., RECORDS OF SAID COUNTY; THENCE NORTHEASTERLY ALONG SAID BOUNDARY LINE TO THE NORTHWESTERLY CORNER OF TRACT NO. 9520, RECORDED IN BOOD 410, PAGES 37 AND 38 OF M.M., RECORDS OF SAID COUNTY; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINES OF LOTS 19 AND 20 OF SAID TRACT NO. 9520 TO THE SOUTHWEST CORNER OF SAID LOT 20; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 20 TO THE SOUTHWESTERLY R/W LINE OF PACKER PLACE (60.00 FEET WIDE), SAID POINT BEING ON A CURVE CONCAVE NORTHERLY; THENCE NORTHERLY AND RADIALY TO THE CENTERLINE OF SAID PACKER PLACE; THENCE NORTHEASTERLY ALONG SAID CENTERLINE AND ITS PROLONGATION TO THE SOUTHEASTERLY CORNER OF LOT 1 OF SAID TRACT NO. 9520; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT 1 TO THE CENTERLINE OF LOS ANDES STREET (60.00 FEET WIDE); THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF LOS ANDES STREET TO THE CENTERLINE OF JUTEWOOD PLACE (60.00 FEET WIDE); THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF JUTEWOOD PLACE TO THE CENTERLINE OF LA VACA STREET (60.00 FEET WIDE); THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF LA VACA STREET TO THE CENTERLINE OF MUIRLANDS BOULEVARD (100.00 FEET WIDE); THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF MUIRLANDS BOULEVARD TO THE CENTERLINE OF TULIP STREET (60.00 FEET WIDE); THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF TULIP STREET TO THE CENTERLINE OF CORTA CRESTA DRIVE (60.00 FEET SIDE); THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF CORTA CRESTA DRIVE TO THE CENTERLINE OF LA VACA STREET (60.00 FEET WIDE); THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF LA VACA STREET TO THE CENTERLINE OF RATON DRIVE (60.00 FEET WIDE); THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF RATON DRIVE TO THE CENTERLINE OF SAGUARO STREET (60.00 FEE WIDE); THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF SAGUARO STREET TO THE SOUTHEASTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF LOT 10 OF TRACT NO. 6098 RECORDED IN BOOK 318, PAGES 41 AND 42, OF M.M. RECORDS OF SAID COUNTY; THENCE NORTHWESTERLY ALONG SAID PROLONGATION AND NORTHEAST LINE OF LOT 10 AND ITS NORTHWESTERLY PROLONGATION TO THE SOUTHEASTERLY BOUNDARY LINE OF TRACT 6463 RECORDED IN BOOK 249, PAGES 30 AND 31 OF M.M. RECORDS OF SAID COUNTY; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY BOUNDARY LINE TO THE SOUTHWESTERLY R/W LINE OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD (100.00 FEET WIDE); THENCE NORTHWESTERLY ALONG THE SAID R/W LINE OF A.T. & S.F. R.R. TO THE CENTERLINE OF ALMOND DRIVE (60.00 FEET WIDE); THENCE NORTHEASTERLY ALONG THE SAID CENTERLINE OF ALMOND DRIVE TO THE CENTERLINE OF FRONT STREET; THENCE SOUTHEASTERLY ALONG THE SAID CENTERLINE OF FRONT STREET TO THE SOUTHEASTERLY LINE PROLONGATION OF LOT 120 OF TRACT NO. 5803 RECORDED IN BOOK 212, PAGES 1 THROUGH 6, INCLUSIVE, OF M.M., RECORDS OF SAID COUNTY; THENCE NORTHEASTERLY 116.32 FEET ALONG SAID SOUTHEASTERLY LINE TO THE SOUTHWEST R/W LINE OF STEARN CIRCLE;

THENCE NORTHEASTERLY TO THE CENTERLINE OF FARTHING STREET (60.00 FEET WIDE); THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF FARTHING STREET TO THE CENTERLINE OF JERONIMO ROAD (80.00 FEET WIDE); THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF JERONIMO ROAD TO THE CENTERLINE OF MILES AVENUE (60.00 FEET WIDE); THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF MILES AVENUE TO THE SOUTHEASTERLY PROLONGATION OF THE LOT LINE COMMON TO LOTS D AND 173, OF TRACT NO. 5797 RECORDED IN BOOK 246, PAGES 23 THROUGH 27, INCLUSIVE, OF M.M., RECORDS OF SAID COUNTY; THENCE NORTHWESTERLY ALONG SAID PROLONGATION AND LOT LINE TO THE NORTHWESTERLY LINE OF SAID LOT 173; THENCE NORTHEASTERLY 65.00 FEET, ALONG SAID NORTHWESTERLY LINE TO THE SOUTHWEST BOUNDARY OF TRACT NO. 5966 RECORDED IN BOOK 223, PAGES 20 THROUGH 25 INCLUSIVE, OF M.M., RECORDS OF SAID COUNTY; THENCE NORTHWESTERLY ALONG SAID SOUTHWEST BOUNDARY TO THE NORTHWESTERLY LINE OF LOT 8 OF SAID TRACT NO. 5966; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY LINE OF LOTS 8 AND 9 AND ITS PROLONGATION TO THE CENTERLINE OF JUBILO PLACE (60.00 FEET WIDE); THENCE NORTHEASTERLY ALONG SAID CENTERLINE OF JUBILO PLACE TO THE PROLONGATION OF THE NORTHEASTERLY LINE OF LOT 95, OF SAID TRACT NO. 5966; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE AND ITS PROLONGATION TO THE SOUTHEASTERLY LINE OF SAID LOT 95; THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY LINES OF LOTS 91, 92, 93 AND 94, OF SAID TRACT NO. 5966, AND ITS PROLONGATION TO THE CENTERLINE OF TOLEDO WAY (80.00 FEET WIDE); THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF TOLEDO WAY TO THE PROLONGATION OF THE NORTHWESTERLY LINE OF LOT "A" OF TRACT 7428, RECORDED IN BOOK 295, PAGES 18 THROUGH 23 INCLUSIVE OF M.M., RECORDS OF SAID COUNTY; THENCE NORTHEASTERLY ALONG SAID NORTHWESTERLY LINE AND ITS PROLONGATION TO THE CENTERLINE OF SERRANO ROAD (60.00 FEET WIDE); THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF SERRANO ROAD TO THE PROLONGATION OF THE SOUTHEASTERLY BOUNDARY LINE OF TRACT NO. 8352 RECORDED IN BOOK 337, PAGES 6 THROUGH 10 INCLUSIVE OF M.M., RECORDS OF SAID COUNTY; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY BOUNDARY AND ITS PROLONGATION TO THE CENTERLINE OF SAID TRABUCO ROAD, THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF TRABUCO ROAD TO THE SAID CENTERLINE OF EL TORO ROAD AND THE POINT OF BEGINNING.

856 TOTAL ACRES.

12/02/87

090203 (57,10)

Appendix D

Development Agency

Proposed List of Public Improvements/Projects

The public improvement projects proposed by the Orange County Development Agency have been broken down into the following categories: Home Improvement Program, New Housing Development Program, Replacement Housing Program, Public Works and Community Facilities, Neighborhood Facilities Program, and Local Economic Development Program. A brief description of each of these categories is presented below.

I. Home Improvement Program (HIP)

The Housing Improvement Program has as its goal the rehabilitation of existing homes that have deteriorated because of age, use or deferred maintenance. The Program will provide low interest loans, deferred payment loans, and grants for a variety of improvements aimed at bringing these homes to current standards for decent, safe and sanitary housing.

Assistance will be directed to single-family and multi-family rental and ownership units under procedures established by the County Housing and Community Development Department (H/CD). Loans will be made through private financial institutions where appropriate agreements can be developed. Grants will be made directly to property-owners.

Specific activities will include home improvements, reconstruction and additions, site improvements, loan processing and refinancing, contract administration, and construction inspection. Estimated production is based on the needs established by the current Housing Assistance Plan approved by the Board of Supervisors.

II. New Housing Development Program (NHD)

The County's current H/CD program to promote the production of housing for low and moderate income residents of Orange County will continue under the Neighborhood Preservation and Improvement Plan. The New Housing Program assists private developers and non-profit organizations interested in providing housing for low income seniors, families, and the handicapped.

As in the current H/CD program, sites for projects will be scattered throughout the County at locations where developer interest and community wishes coincide. The production levels projected below are gauged to the needs outlined in the County's Housing Assistance Plan. The overall New Housing Program will also be consistent with the programs in the County of Orange Housing Element.

Implementation of specific projects will include expenditures for land acquisition and disposition, planning and development assistance, and construction cost offsets to eligible developers and non-profit organizations.

III. Replacement Housing Program (RHP)

The County's current H/CD program to replace housing which cannot be rehabilitated at reasonable cost will continue under the Neighborhood Preservation and Improvement Plan. The Replacement Housing Program assists a property-owner in demolishing an existing structure and replacing it with a new house on the same site.

Assistance will be provided under procedures established by H/CD. Specific activities will include expenditures for project development, housing construction, site improvements, offsite improvements, loan processing and refinancing, permit processing and fees, contract administration, and construction

inspection. Production projections are based on H/CD staff survey of non-rehabilitable units within the Agency survey areas.

IV. Public Works and Community Facilities

The County's current H/CD program to improve neighborhood infrastructure within the Project Area will continue under the Neighborhood Preservation and Improvement Plan. In addition, community facilities serving the Project Area will be funded either in whole or in part.

The Public Works Program constructs projects in consultation with the community. It can be assumed that every local street in the Project Area will need to be reconstructed once and resurfaced at least twice over the 45 year duration of the Plan. In addition, many local streets need sidewalks, curbs and gutters; and in some cases, widening, street trees and retaining walls may be necessary. The Inter-Canyon area has special requirements due to the poor condition of roads, difficult topography requiring extensive grading and retaining walls and the need to improve bridges over local streams.

The local drainage project list comes from the Master Plan of Drainage as approved by the Board of Supervisors. Experience has shown that neighborhoods identify additional drainage problems; and budgetary provision to correct these problems has been made.

In general, utilities in the Project Area are old, deteriorated and in need of replacement. Water service is especially deficient – all areas have inadequate fireflow by current standards. Utility improvements may also include undergrounding of power and phone service.

V. Neighborhood Facilities Program (NFP)

The Neighborhood Facilities Program recognizes many communities have unmet needs for community-organized services such as recreation, open space, day care, and senior services. The H/CD initiatives to meet those needs can be enhanced using the new resources of tax increment financing. Although the specific project type and most suitable sites must await community input, general project descriptions can be made now.

VI. Local Economic Development Program (LEDP)

The Local Economic Development Program will work with local businesses and property owners to assist them in their plans to upgrade and expand their businesses in a manner consistent with the policy of neighborhood preservation. It is expected that loans and grants will be made available for such improvements as structural and façade remodeling, parking lot and lighting improvements.

Description of Specific Projects Proposed by the Orange County Development Agency

Based upon the physical, economic and social conditions within the Project Area that are indicative of blight as defined by the California Health and Safety Code, the Orange County Development Agency at this time is proposing the following public improvements/projects (among the types of public improvements authorized pursuant to the first paragraph of Section 416 of this Plan), which if implemented, will improve and help alleviate the existing problems and allow for more effective revitalization of the Project Area. Some of the public improvements listed below may benefit other areas of the County in addition to the Project Area, in which case the Agency would pay for only a portion of the costs of such improvements as determined by the Agency at the time the improvement is funded.

I. Home Improvement Program (HIP)

	Type	Units
A.	Multi-family	6,500 Units
B.	Single-family	8,500 Units
HIP Totals		15,000 Units

II. New Housing Development Program

	Type	Units
A.	Senior/Rental	2,640 Units
B.	Family/Rental	5,870 Units
C.	Handicap/Rental	290 Units
D.	Ownership	4,700 Units
NHD Totals		13,500 Units

III. Replacement Housing Program (RHP)

	Type	Units
A.	Infill	700 Units
RHP Totals		700

IV. Public Works – A. Local Streets

	Area	Linear Feet
1.	Midway City	57,050
2.	West Garden Grove Island	10,050
3.	Anaheim Island	18,200
4.	Southwest Anaheim Island	7,000
5.	Anaheim-Brookhurst	49,900
6.	Colonia Independencia	10,800
7.	Cypress Island	23,850
8.	Denni Street Island	1,300
9.	Olive Island	8,400
10.	El Modena	17,150
11.	Northeast El Modena	4,800
12.	Newport Heights/Costa Mesa Highlands	12,850
13.	El Toro	93,050
14.	Inter-Canyons	102,000
	Total	416,400

IV. Public Works – B. Arterial Highways

	Road	Reach	Linear Feet
1.	Bolsa	W of Beach to E of Newland	4,980
2.	Newland	Hazard/Bolsa	2,600
3.	McFadden	W of Beach to W of Newland	2,400
4.	Orangewood	W of Dale/Dale	1,280
5.	Dale	Orangewood to Lampson	4,020
6.	Lampson	Dale/E of Dale	1,020
7.	Katella	W of Magnolia to E of Gilbert (1/2 R/W)	3,490
8.	Gilbert	S of Broadway	6,740
9.	Cerritos	W of Gilbert to Brookhurst	2,950
10.	Ball	Gilbert/Brookhurst	2,700
11.	Moody	Crescent to S of Lincoln	2,550
12.	Lincoln	W of Moody	300
13.	Crescent	E of LA Co. to Moody	3,130
14.	La Palma	E of LA Co. (1/2 R/W)	660
15.	Orange-Olive	N of Lincoln to Lincoln	960
16.	Bond	E of Hewes to Hewes (1/2 R/W)	700
17.	Hewes	Bond/Chapman	3,020
18.	Spring	Esplanada to Rancho Santiago	2,620
19.	Chapman	E of Hewes (1/2 R/W)	620
20.	Santa Ana	S of Bristol to Mesa	2,100
21.	22 nd	Santa Ana to Tustin	1,280
22.	Irvine	Mesa to S of Monte Vista	3,015
23.	University	Santa Ana to Irvine	1,300
24.	El Toro	Trabuco to S of I-5 Fwy	11,800
25.	Los Alisos	2 nd /I-5	7,600
26.	Muirlands	W of El Toro to Los Alisos	3,080
27.	Rockfield	W of El Toro to Los Alisos	4,200
28.	Jeronimo	W of El Toro to Los Alisos	2,940
29.	Paseo de Valencia	Ave. de la Carlotta South	450
30.	Ave de la Carlotta	P. de Valencia to E of El Toro	1,400
31.	Toledo	El Toro West	200
32.	Trabuco	W of El Toro to Cherry	1,650
33.	Santiago Canyon	Silverado to E of Live Oak	37,000
34.	Live Oak Canyon	Santiago to Rose Cyn	4,200
35.	Rose Cyn	Live Oak to Trabuco Cyn	16,800
Total			145,755

IV. Public Works – C. Bridge Improvements

	Location
1.	El Toro Rd. S of Jeronimo
2.	Los Alisos N of Rockfield
3.	Los Alisos S of Jeronimo
4.	Muirlands NW of Los Alisos
5.	Trabuco Cyn – Arroyo Trabuco

IV. Public Works – D. Traffic Signals

	Location	New/Modified
1.	Bolsa/Newland	Modified
2.	Newland/Hazard	New
3.	Dale/Lampson	New
4.	Katella/Gilbert	Modified
5.	Cerritos/Gilbert	Modified
6.	Ball/Gilbert	Modified
7.	Lincoln/Moody	Modified
8.	Lincoln/Orange-Olive	Modified
9.	Hewes/Spring	New
10.	Hewes/Bond	New
11.	Santa Ana/Mesa	Modified
12.	El Toro/Rockfield	Modified
13.	El Toro/Jeronimo	Modified
14.	Los Alisos/Rockfield	Modified
15.	Los Alisos/Muirlands	Modified
16.	Santiago Cyn/Live Oak	New
17.	Santiago/Modjeska Cyn	New
18.	Santiago/Silverado Cyn	New

IV. Public Works – E. Local Drainage

	Area	Structure
1.	Midway City	Minor local
2.	West Garden Grove Island	C03P05, C03P06, C03P18, Minor local
3.	Anaheim Island	C03P24, Minor local
4.	Southwest Anaheim Island	C03P26, Minor local
5.	Anaheim-Brookhurst	C03P27, C03P28, Minor local, B01P03, B01P26, B01P29
6.	Colonia Independencia	C02P07, Minor Local
7.	Cypress Island	B02P05, B02P05 extension, Minor local
8.	Denni Street Island	Minor local
9.	Olive Island	Minor local
10.	El Modena	Minor local
11.	Northeast El Modena	E08S01, new proposed S.D., Minor local
12.	Newport Heights/Costa Mesa Highlands	G03, G03P03, Minor local
13.	El Toro	J06P02, Minor local
14.	Inter-Canyons	E08, E08S11, E16, E17, E18S01, E08P35, E08P36, E08P37, E08P38, E08P39, E08P41, E17P01, E17P02, E17P03, E17P04, E17P05, Minor local

IV. Public Works – F. Flood Control Facilities

	Name/Location
1.	East Garden Grove – Wintersberg Channel
2.	Anaheim-Barber City Channel
3.	Bolsa Chica Channel
4.	Carbon Creek Channel
5.	Moody Creek Channel
6.	Fletcher Channel
7.	El Modena – Irvine Channel
8.	Santiago Creek
9.	Santa Ana River Flood Control

IV. Public Works – G. Utilities

Area			Quantity/Linear Feet
1.	Midway City	Water, Sewer, Street Lights	72,600
2.	West Garden Grove Island	Water, Sewer, Street Lights	13,350
3.	Anaheim Island	Water, Sewer, Street Lights	22,800
4.	Southwest Anaheim Island	Water, Sewer, Street Lights	9,700
5.	Anaheim-Brookhurst	Water, Sewer, Street Lights	67,900
6.	Colonia Independencia	Water, Sewer, Street Lights	15,200
7.	Cypress Island	Water, Sewer, Street Lights	29,850
8.	Denni Street Island	Water, Sewer, Street Lights	600
9.	Olive Island	Water, Sewer, Street Lights	10,400
10.	El Modena	Water, Sewer, Street Lights	23,500
11.	Northeast El Modena	Water, Sewer, Street Lights	8,200
12.	Newport Heights/ Costa Mesa Highlands	Water, Sewer, Street Lights	32,850
13.	El Toro	Water, Sewer, Street Lights	123,050
14.	Inter-Canyons	Water, Sewer, Street Lights	158,100
Total			1,764,300

IV. Public Works – H. Fire Protection Facilities

Name/Location	
1.	Williams Canyon Fire Station
2.	Inter-Canyons Fire Station
3.	Midway City Fire Station

IV. Public Works – I. Public Protection Facilities

Name/Location	
1.	Harbor Court Renovation
2.	Central Forensics
3.	Central Criminal Court
4.	Juvenile Justice Facility
5.	Manchester Probation Office Renovation
6.	Near Term Jail
7.	New South Court
8.	Remote Jail
9.	New South County Sheriff Substation
10.	South County Civic Center Sheriff Substation Replacement
11.	Theo Lacy Jail

IV. Public Works – J. Parks and Recreational Facilities

Name/Location	
1.	O'Neill Park
2.	Aliso Creek
3.	Modjeska Residence
4.	Mile Square Regional Park
5.	Bolsa Chica Linear Park
6.	Craig Regional Park
7.	Ralph B. Clark Regional Park Paleontological Center

V. Neighborhood Facilities Program (NFP)

Project Type	Activity
A. Local Parks	Site acquisition, planning, development and operation
B. Greenbelt Parks	Site acquisition, planning, development and operation
C. Community Centers	Remodeling, expansion of existing centers; acquisition, planning, development and operation of new centers
D. Senior Centers	Remodeling, expansion of existing centers; acquisition, planning, development and operation of new centers
E. Day Care Centers	Remodeling, expansion of existing centers; acquisition, planning, development and operation of new centers
F. Landscape/Wall Buffer	Acquisition, construction
G. Historical Preservation	
H. Local Trails	

VI. Local Economic Development Program (LEDP)

Type	Need
Loans	1260

ORDINANCE NO. 3925

AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA, ADOPTED PURSUANT TO THE STATE COMMUNITY REDEVELOPMENT LAW, AMENDING ORDINANCE NO. 3720 (THE DEVELOPMENT PLAN FOR THE ORANGE COUNTY NEIGHBORHOOD DEVELOPMENT AND PRESERVATION PROJECT) BY SPECIFYING TIME LIMITS FOR INCURRING DEBT, CARRYING OUT REDEVELOPMENT ACTIVITIES, PAYING INDEBTEDNESS, AND RECEIVING PROPERTY TAXES

The Board of Supervisors of the County of Orange, California, does ordain as follows:

SECTION 1. Section 602A, relating to the time limits for establishing loans and indebtedness, is added to the Plan as follows:

"Time Limit on Incurring Debt. Except as provided in subsections (a), (g) and (h) of Health and Safety Code Section 33333.6 or as otherwise allowed or required pursuant to any existing or future provision of law, the Agency shall not establish any loan, advance or indebtedness in connection with the Plan after June 27, 2008. The foregoing limit on establishing loans, advances or indebtedness shall not, however, preclude the Agency from receiving tax increment revenue pursuant to Health and Safety Code Section 33670 after that limit in order to pay any loans, advances or indebtedness established prior to the foregoing limit."

SECTION 2. Section 602B, relating to the time limits for the collection of tax increments, is added to the Plan as follows:

"Time Limit on Tax Increment Receipt. The Agency shall not pay indebtedness or receive property taxes pursuant to Health and Safety Code Section 33670 after June 27, 2038, except as provided in subsections (g) and (h) of Health and Safety Code Section 33333.6 or as permitted or required under any existing or future provision of law."

SECTION 3. Section 602C, relating to the time limits on the effective dates of the Plan, is added to the Plan as follows:

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1 "Time Limit on Redevelopment Activities. The
2 effectiveness of the Plan shall terminate on
3 June 27, 2028 and after that date the Agency
4 shall have no authority to act under the Plan
5 except to pay previously incurred indebtedness
6 and to enforce existing covenants, contracts
7 or other obligations and except as provided in
8 subsections (g) and (h) of Health and Safety
9 Code Section 33333.6 or as otherwise allowed
10 or required under any existing or future
11 provision of law."

12
13 SECTION 4. Section 900 of the Plan, relating to the duration of
14 the Plan, is repealed.

15 SECTION 5. A copy of this Ordinance shall be transmitted to the
16 County of Orange Development Agency, and the Agency is vested with
17 the responsibility of implementing the amendments to the Plan.
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OFFICE OF
COUNTY COUNSEL
ORANGE COUNTY

F0192-210 (5/77)

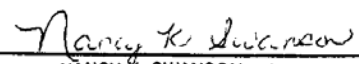
OFFICE OF
COUNTY COUNSEL
ORANGE COUNTY

65 F0192-210 (5/77)

1 SECTION 6. This Ordinance shall take effect and be in full
2 force thirty (30) days from and after its passage and, before the
3 expiration of fifteen (15) days after the passage thereof, shall be
4 published once in the Orange County Register, a newspaper
5 published in the County of Orange, State of California, together with
6 the names of the members of the Board of Supervisors voting for or
7 against the same.


Chairman of the Board of Supervisors
of Orange County, California

8 SIGNED AND CERTIFIED THAT A COPY
9 OF THIS DOCUMENT HAS BEEN DELIVERED
10 TO THE CHAIRMAN OF THE BOARD

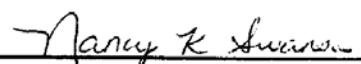

NANCY K. SWANSON, ASSISTANT
Clerk of the Board of Supervisors
County of Orange, California

13 STATE OF CALIFORNIA)
14 COUNTY OF ORANGE) ss.

15 I, NANCY K. SWANSON, ASSISTANT Clerk of the Board of Supervisors, do
16 hereby certify that at a regular meeting of the Board of Supervisors
17 of Orange County, California, held on the 6th day of
December, 1994, the foregoing ordinance containing
18 following six sections was passed and adopted by the
19 following vote:

20 AYES: SUPERVISORS THOMAS F. RILEY; WILLIAM G. STEINER; ROGER R. STANTON;
21 HARRIETT M. WIEDER; AND GADDI H. VASQUEZ
22 NOES: SUPERVISORS
23 ABSENT: SUPERVISORS

24 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
25 official seal of the Board of Supervisors of the County of Orange,
26 State of California, this 6th day of December, 1994.


NANCY K. SWANSON, ASSISTANT
Clerk of the Board of Supervisors
of Orange County, California